

App. No. 09/668,042
Amdt. Dated August 13, 2003
Reply to Office Action of May 13, 2003
Atty. Dkt. N . 3784-101
(formerly 035586-2002)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Steven M. Gootter, et al.
Title: QUICK-MOUNT & PIVOT BASE FOR
BICYCLE SEAT OR THE LIKE
Appl. No.: 09/668,042
Filing Date: 09/21/2000
Examiner: J. Edell
Art Unit: 3636

DECLARATION UNDER RULE 131

We, STEVEN M. GOOTTER and THOMAS D. WILLIAMS, declare and say:

That we are the applicants in the above-identified application;

That the subject matter of claims 1, 3, 5-8, 11 and 12 presently pending in the subject application were invented by us and the invention was conceived and was completed with an actual reduction to practice by us in the United States prior to April 21, 1999;

CERTIFICATE OF MAILING BY "FACSIMILE"

Date of Deposit: August 13, 2003

I hereby certify that this correspondence is being deposited with the United States Patent and Trademark Office as a facsimile transmission on the date indicated above to (703) 872-9326.

BERNARD L. KLEINKE


Signature

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That prior to April 21, 1999, we met on several occasions during clinical trials of a medical study for bicycle seats, and determined that it would be highly desirable to have a mechanism for switching seats in a faster and more convenient manner, since such a mechanism would be highly useful in a gymnasium setting for stationary bicycles;

That we made a number of design sketches of a mechanism to accomplish the switching of bicycle seats, and these sketches are shown in the accompanying Exhibits A through D, each of which is a true photocopy of the actual drawings;

That each one of the drawings of Exhibits A through D bear a masked date which is earlier than April 21, 1999;

That prior to April 21, 1999, we built and successfully tested a working prototype model of the mechanism which we referred to as "QUICK-LOK";

That the accompanying Exhibit E is a true and accurate photocopy of a photograph of the prototype model of the "QUICK-LOK" and the original bears a date prior to April 21, 1999, which date is masked off of the Exhibit E;

That the photocopy of the photograph of Exhibit E is substantially similar to Figure 6 of the subject patent application;

That the prototype model shown in Exhibit E was successfully tested by attaching a bicycle seat to it and then mounting the combination to a bicycle, which was then successfully operated and all features of the mechanism were successfully tested in the intended environment;

That the prototype model shown in Exhibit E is still in existence today and in our possession;

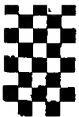
That Exhibits F through M are true and accurate copies of photographs of the prototype model shown in Exhibit F;

That the Exhibits F through M illustrate the QUICK-LOK mechanism both attached to a bicycle seat and separated therefrom;

That various photographs of Exhibits F through M correspond to figures of drawings in the subject patent application;

That, for example, Exhibit H is similar to the copy of the photograph of Exhibit E, which in turn is similar to Figure 6 of the subject patent application;

That we do not know and do not believe that the invention has been in public use or on sale in this country or patented or described in a printed publication in this, or any



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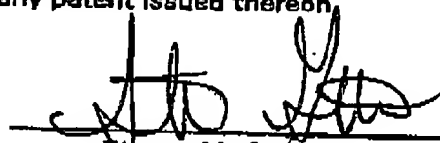
foreign country more than one year prior to the filing date of this application, in that we have never abandoned the invention;

That all acts mentioned herein and relied upon to establish dates prior to April 21, 1999, were carried out in the United States, such acts including, but not limited to, the conception of the invention, constructing and completing a working model and successfully testing and operating it in the environment in which it was intended to be used;

That the undersigned hereby declare that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine, or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date:

8/13/03


Steven M. Gootter

Date:

Thomas D. Williams

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Date: _____

Steven M. Grotter

Date: 8-13-03

Thomas D. Williams

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